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<b>PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	Docket Number (Optional) <b>574152000400</b>
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First Named Inventor: Bakulesh M. KHAMAR

International (PCT) Application No.: PCT/IB03/00860      U.S. Application No.: Not Yet Assigned  
(if known)

Filed: March 11, 2003

Title: PROCESS FOR MANUFACTURING PHARMACEUTICAL COMPOSITION COMPRISSES OF  
MYCOBACTERIUM W IN THE TREATMENT OF ASTHMA (OBSTRUCTIVE LUNG DISEASE)

MS PCT  
 Attention: PCT Legal  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status.  
 See 37 CFR 1.27.

Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))

## 2. Proper reply

- A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of a copy of the International Application and the basic (identify type of reply):  
national filing fees

has been filed previously on \_\_\_\_\_  
 is enclosed herewith.

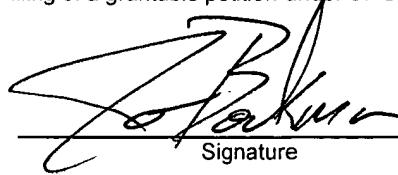
01/24/2006 LLANDaff 00000049 031952 10565211

05 FC:1453 1500.00 DA

## 3. Terminal disclaimer with disclaimer fee

- Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.



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Signature

January 20, 2006

Date

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Jonathan Bockman  
Typed or Printed Name

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45,640  
Registration Number, if applicable

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MORRISON & FOERSTER LLP  
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McLean, Virginia 22102  
Address

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(703) 760-7769  
Telephone Number

## Enclosures:

- Response  
 Fee Payment  
 Terminal Disclaimer  
 Other (please identify):

Transmittal Letter to the United States Designated/Elected Office  
(DO/EO/US) concerning a Submission under 35 U.S.C. 371  
(3 pages), copy of International Application (18 pages),  
Application Data Sheet (2 pages), copy of International  
Search Report (3 pages), Preliminary Amendment (6 pages)